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Pesticides & Toxic Substances Law News for May 29, 2018

**Bloomberg
Environment**

Environment & Energy

Highlights

LEADING THE NEWS

[Desktop 3D Printers: Consumers As 'Manufacturers' Bring Risks](#)

By Martina Barash and Pat Rizzuto

Technology companies, parents, and schools face both new and familiar safety challenges as kids clamor for the latest must have: 3D printers.

TODAY'S NEWS

[EPA's Pruitt Racked Up \\$3.1 Million Security Bill in First Year](#)

By Jennifer A. Dlouhy

U.S. taxpayers spent at least \$3.1 million guarding EPA Administrator Scott Pruitt around-the-clock during his first year on the job, according to the agency's newly released records.

[Bayer Said to Win U.S. Antitrust Nod for Monsanto Deal Next Week \(1\)](#)

By David McLaughlin

Bayer AG is set to win U.S. antitrust approval for its \$66 billion takeover of Monsanto Co. next week, according to a person familiar with the matter, removing the last major regulatory hurdle to forming the world's biggest seed and agricultural-chemicals company.

[California Reviews—But Won't Ban—Dow Pesticide as Usage Drops](#)

By Ayanna Alexander

California could restrict—but won't ban—the use of a disputed pesticide on many fruit and vegetable crops after a state review panel weighs in on its toxicity.

[Washers for Firefighter Chemicals Get Massachusetts Senate's OK](#)

By Adrienne Appel

Massachusetts firefighters are a step closer to getting the washing machines they say are a matter of life and death.

THURSDAY NIGHT WRAPUP

[Chinese Smartphone Maker Draws Complaint Over Environmental Risk](#)

By Michael Standaert

Chinese smartphone maker Xiaomi has been accused of violating information disclosure requirements by not issuing an environmental and social risk management report on its supply chain when it filed for an initial public offering early in May.



Redefining EPA

Overhauling an agency and its mission

<https://insideepa.com/agency-at-a-crossroads>

Inside EPA's **Risk Policy Report**, 05/29/2018

<https://insideepa.com/newsletters/risk-policy-report>

TSCA Tracker

<http://insideepa.com/specials/tsca-tracker>

Latest News

No new stories today.

Daily Feed

EPA RMP rule delay challengers warn against staying litigation

Petitioners suing over EPA's delay of the Obama-era facility safety rule updates say judges should rule quickly on their case despite a new proposal to scrap most of the prior administration's rule changes.

Few GOP members of House climate caucus sign anti-rider letter

Only four of 39 Republican members of the House Climate Solutions Caucus signed onto a letter asking appropriators to remove anti-climate riders or policy from fiscal year 2019 appropriations bills.



EPA

Pruitt's security detail cost up to \$3.5M

[Kevin Bogardus](#), E&E News reporter

Published: May 25, 2018 at 2:58 PM



EPA Administrator Scott Pruitt leaves a press conference at EPA headquarters with members of his security detail last month. Andrew Harnik/Associated Press

Records released today by EPA show that agency spending on Administrator Scott Pruitt's personal security detail has climbed into the millions of dollars, surpassing his predecessors.

EPA has spent roughly \$3.5 million overall on payroll and travel costs for Pruitt's security detail during his first year in office, according to the documents. The agency spent more than \$2.7 million on salary for the detail and more than \$760,000 for its travel expenses during that time.

The EPA records, posted online in the agency's Freedom of Information Act [library](#), list the security detail's [payroll](#) and [travel](#) expenses quarterly for every fiscal year going back to 2009.

In prior fiscal years before Pruitt's arrival at EPA, agency spending on payroll and travel for the administrator's security detail ranged from roughly \$1.6 million to \$2 million. But those expenditures spiked during Pruitt's first full quarter in charge of the agency — fiscal 2017's third quarter — according to records.

Reporting last year by E&E News found that Pruitt's security costs were on the rise. Documents showed the agency had already spent close to double on Pruitt's security detail during his first months on the job compared with past administrators Lisa Jackson and Gina McCarthy ([Greenwire](#), July 5, 2017).

Pruitt has around-the-clock security protection, requiring more manpower for his detail. In addition, Pruitt was flying first class when he traveled due to security concerns but has now said he intends to fly coach. Those security measures resulted in greater costs for the agency.

EPA spokesman Jahan Wilcox said Pruitt has faced "an unprecedented amount" of threats in office. In addition, the agency now plans to release figures detailing spending on Pruitt's security detail every quarter.

"Administrator Pruitt has faced an unprecedented amount of death threats against him, and to provide transparency EPA will post the costs of his security detail and proactively release these numbers on a

quarterly basis. Americans should all agree that members of the president's cabinet should be kept safe from violent threats," Wilcox said.

The EPA inspector general has opened more threat investigations related to Pruitt than it did for McCarthy. Some of those investigations, however, revealed that social media and mail sent to EPA expressing displeasure with Pruitt's policies or mocking the administrator were often categorized as threats ([Greenwire](#), May 8).

Pruitt's security spending has attracted scrutiny from lawmakers as well as from EPA's IG. Pasquale "Nino" Perrotta, the career EPA special agent who led Pruitt's security detail, retired from the agency last month.

The EPA IG has opened up an audit into agency spending on Pruitt's security detail.

EPA IG spokeswoman Tia Elbaum told E&E News that the watchdog office expects to release that audit's report this summer.

REGULATIONS

Interior's rule rollbacks saving the most money — analysis

[Maxine Joselow](#), E&E News reporter

Published: Friday, May 25, 2018



Interior Department headquarters in Washington. Pamela King/E&E News

Of all federal agencies, the Interior Department is on track to save the U.S. economy the most money through its rollbacks of Obama-era rules, a new analysis from a center-right advocacy group found. In recent months, Interior has proposed scaling back 46 regulations while implementing no new rules, which would save the economy \$196 million in annualized costs, according to the [analysis](#) from the American Action Forum.

"Interior is definitely budgeted to get the most savings this year," said Dan Bosch, the group's director of regulatory policy. "Because they control public lands, they can derive a lot of savings if they open up those lands to some sort of development or deregulation."

The analysis looked at the administration's latest sweeping regulatory plan, the so-called spring 2018 Unified Agenda, which was released earlier this month ([E&E News PM](#), May 9).

Pursuant to [Executive Order 13771](#), which directed agencies to eliminate two rules for every new one issued, the spring agenda classified all agency actions as regulatory or deregulatory.

At Interior, perhaps the highest-profile deregulatory action was a proposal to roll back Obama-era methane standards. The Bureau of Land Management is currently working on paring down its methane venting and flaring rule for oil and gas drillers on public lands.

Asked about the findings, Interior spokeswoman Heather Swift said in an email, "Secretary Zinke is fully committed to President Donald Trump's mission of providing regulatory relief for the American economy. The Department is moving forward to incentivize innovation and best science while maintaining the

highest safety and environmental standards."

After Interior, the agencies with the highest projected cost savings were the departments of Labor, Energy and Defense.

DOE proposed 17 deregulatory actions and four regulatory actions, which would save a total of \$80 million in annualized costs, the analysis said.

And EPA has 42 deregulatory actions and 12 regulatory actions in the works, which would save \$40 million.

With EPA Administrator Scott Pruitt facing a number of ethics scandals, his staunchest supporters have pointed to his prowess in cutting red tape as evidence of his success as agency head. But a number of EPA's proposed rollbacks face stiff challenges in federal courts ([Greenwire](#), March 15).

"What we've seen is that EPA has been pretty aggressive in trying to roll back a lot of what the Obama administration had done, particularly with rules like the Clean Power Plan and Waters of the United States," Bosch said. "Primarily where they've been successful is in trying to scale those back. A lot of those haven't been finalized yet, so where they'll ultimately be successful is in how courts rule."

Overall, the administration is on track to rescind 3.75 rules for every new one issued, far exceeding President Trump's original two-for-one goal, the analysis found.

"To this point, I've been pleasantly surprised at the effectiveness of the Trump administration in getting its agencies on board with this idea," Bosch said. "I think agencies have done a good job of identifying targets for deregulation."

But Amit Narang, regulatory policy advocate with Public Citizen's Congress Watch, said he questions whether the findings are anything to celebrate.

"The AAF study reinforces that EO 13771 has put a straightjacket on agencies by preventing them from issuing important and common-sense health, safety and environmental protections," Narang said in an email.

FISHERIES

Mussels off Seattle coast test positive for opioids

Published: Friday, May 25, 2018

Mussels in the waters off Seattle have absorbed enough oxycodone to test positive for the opioid, the Washington Department of Fish and Wildlife found.

The mussels are filter feeders, so they take in contaminants from the water.

When humans ingest opioids, traces of the drugs end up in the toilet, which becomes wastewater.

Filtering systems block most contaminants from reaching the oceans, but they can't completely filter out drugs.

"What we eat and what we excrete goes into the Puget Sound," said Jennifer Lanksbury, a biologist at the state Department of Fish and Wildlife. "It's telling me there's a lot of people taking oxycodone in the Puget Sound area."

The mussels probably don't metabolize the drugs, so they won't be hurt. Zebrafish, on the other hand, have been found to willingly dose themselves with opioids, and other fish might have act similarly

(Christina Capatides, [CBS News](#), May 24). — CS

PUBLIC HEALTH

Calif. jury delivers \$25.7M verdict in baby powder case

Published: Friday, May 25, 2018

A California jury yesterday recommended a \$25.7 million penalty against Johnson & Johnson in a lawsuit over the company's baby powder with talc.

Joanne Anderson, who has a form of lung cancer associated with asbestos exposure, claims the baby powder caused her to get sick.

The total includes \$4 million in punitive damages. Anderson's legal team said the company hid data from regulators and altered reports.

There are hundreds of similar suits against the company, with jury awards totaling hundreds of millions of dollars.

The company said it will appeal (Christopher Weber, [Associated Press](#), May 25). — NB

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